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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| IN RE APPLICATION OF: David Polston SERIAL NO. 10/801,410 FILED: March 16, 2004 | ATTY DKT NO. P-109301.1(UTI)(CIP) GROUP NO.: 1755 EXAMINER: David M. Brunsman |
| TITLE: A PROTOCOL FOR SAMPLING AND TESTING COMPOSITIONS RELATED TO A METHOD FOR MAKING ROAD BASE FROM OIL AND GAS WASTE | |
| TO: Mail Stop: RESPONSE/ NO FEE Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 | |

RESPONSE TO NON-FINAL OFFICE ACTION DATED JUNE 15, 2005

IN THE CLAIMS

Please amend the claims as follows: